

REMARKS

While Applicant does not agree with the 35 USC §112 rejection, in order to advance prosecution, Applicant has amended claim 1 to adopt the language suggested by the Examiner. Claim 1 also has been amended to address the informality noted by the Examiner.

Claim 1 also has been amended to better define the claimed invention and better distinguish the claimed invention from the prior art. More particularly, independent claim 1 has been amended to specify that the device also comprises a separate key pad hingedly coupled to the front face of the device. No new matter has been entered. Support is found in Fig. 2 of the original drawings.

The art rejections are respectfully traversed. Considering first the rejection of claims 1-5 and 8 as obvious from Kirk in view of Kärkkäinen et al., the Examiner acknowledges the primary reference fails to disclose selectable functions may be highlighted, confirming selection of a highlighted function, and a selection bar on the display by which a user also may select a highlighted function. However, Applicant's invention as defined by amended claim 1 includes other differences. For example, Applicant's claimed invention also requires a separate keyboard hingedly coupled to the front face of the device. Kirk does not teach this feature.

The secondary reference, Kärkkäinen et al., admittedly teaches a portable device with a display and a keyboard. However, Kärkkäinen does not include a touch screen. Moreover, it would not be possible to modify Kirk to include a separate keyboard hingedly coupled to the front face of the device since Kirk already hinges his display on one side to the touchpad on the other side.

Moreover, this distinction is more than merely academic. The addition of a separate keyboard hingedly coupled to the device as in applicant's claimed invention, gives Applicant

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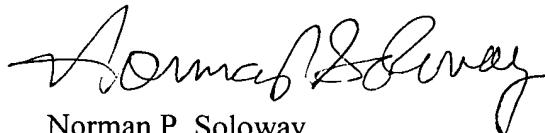
two input devices, namely a touchpad and a keypad. Neither Kirk nor the secondary reference Kärkkäinen et al. has both a keypad and a touchpad. Thus, no combination of Kirk and Kärkkäinen et al. could achieve claim 1 or any of the claims 2-5 and 8 which depend thereon.

Turning to the rejection of claim 9 as obvious from Kirk in combination with Kärkkäinen et al. and further in view of Chia-Ying et al., claim 9 depends on claim 1. The deficiencies of the combination of Kirk and Kärkkäinen et al. vis-à-vis claim 1 are discussed above. It is not seen that Chia-Ying supplies the missing teaching to achieve or render obvious claim 1 or claim 9, which depends thereon. Chia-Ying has been cited as teaching a portable electronic device in which a selection button also allows a user to execute "click" and "drag-dash" operations, and is acknowledged as so teaching. However, Applicant, does not claim to have invented selection button or permitting a user to execute "click" and "drag-dash" lock operations per se. Moreover, claim 9, as amended, specifies that the device comprises a hand held device. Chia-Ying, while admittedly a portable electronic device, is not intended to be a hand-held device. Rather, Chia-Ying is a portable computer. Thus, the rejection of claim 9 also is in error.

Having dealt with all the objections raised by the Examiner, the application is believed to be in order for allowance. Early and favorable action is respectfully requested.

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account Number 08-1391.

Respectfully submitted,



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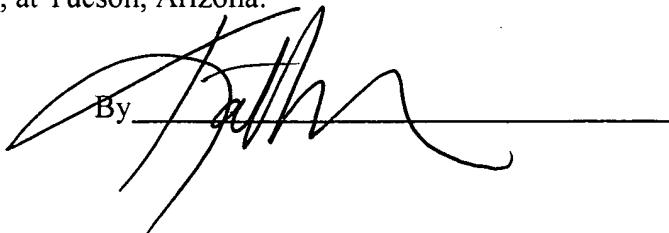


Serial No. 10/678,613
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Amendment B (with RCE)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 19, 2005, at Tucson, Arizona.

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